

**SPIVAKLIPTON**<sub>LLP</sub>

ATTORNEYS AT LAW

Hope Pordy  
hpordy@spivaklipton.com  
1040 Avenue of the Americas  
New York, NY 10018  
T 212.765.2100  
F 212.765.8954  
spivaklipton.com

August 1, 2022

**VIA ECF**

Hon. Sidney Stein  
U.S. District Court Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re: Buchanan, et al v. City of New York and the CCRB  
Case No. 21-cv-00660-SHS**

Dear Judge Stein:

I write on behalf of Plaintiffs in connection with the above-referenced matter to request that this matter be reinstated in accordance with the Court's Order, dated May 31, 2022. (Dkt. 61). The parties previously notified the Court that, with the assistance of Magistrate Judge Ona T. Wang, the parties had reached a settlement in principle. Regrettably, the parties have not been able to effectuate the settlement and sixty days has now passed since the Court entered its Order. A final settlement conference is to be conducted this week with Magistrate Wang (Dkt. Nos. 69, 70). Defendant declined to join in this request because of the settlement conference presently scheduled for tomorrow.

Plaintiffs respectfully request permission to submit a modified Discovery Plan and Scheduling Order by August 10, 2022. The due dates set by the prior Discovery Plan and Scheduling Order, as modified, are no longer valid. (Dkt Nos. 37, 46 and 50). Prior to settlement efforts, the parties commenced discovery including the service of Interrogatories and Requests for Production, the production of responsive documents and conducted a meet-and-confer related to ESI discovery issues. No depositions have been taken to date.

Thank you for the Court's attention to this matter.

Respectfully Submitted:

*Hope Pordy*

cc (via ECF): All counsel